

MINUTES Township Committee Meeting

9:00 AM - Tuesday, August 24,
2021

Committee Meeting Room

The Township Committee of the Township of Holmdel was called to order on Tuesday, August 24, 2021, at 9:00 AM, in the Committee Meeting Room, with the following members present:

COMMITTEE PRESENT: Mayor Gregory Buontempo
Deputy Mayor Cathy Weber
Committeeman Thomas Critelli
Committeeman Prakash Santhana

STAFF PRESENT: Administrator Cherron Rountree
CFO William Antonides
Township Attorney Michael Collins
Township Clerk/Registrar Wendy Patrovich

1 ANNOUNCEMENT OF MEETING (OPEN PUBLIC MEETINGS ACT NOTICE)

- I hereby announce that pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this meeting has been provided in the notice which was sent to the Asbury Park Press, the Two River Times and posted on the bulletin board in Township Hall and filed in the Township Clerk's Office on August 19, 2021.

2 ROLL CALL

- Gregory Buontempo, Mayor
Cathy Weber, Deputy Mayor
Tom Critelli, Committeeman
DJ Luccarelli, Committeeman
Prakash Santhana, Committeeman

3 8:30 AM EXECUTIVE SESSION - UPSTAIRS CONFERENCE ROOM

- [2021-227A](#)

4 9:00 AM PUBLIC SESSION - COMMITTEE CONFERENCE ROOM

5 PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

6 PUBLIC COMMENT- AGENDA ITEMS ONLY

Members of the public are invited to provide comments up to three (3) minutes in duration on agenda items only. Commenters are asked to state his or her full name and address for the record before entering comments.

- There were no public comments.

7 CONSENT AGENDA

Resolutions 2021-230 to 2021-231 All matters listed under the Consent Agenda are considered routine by the Township Committee and will be adopted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired of any item by a member of the Township Committee, the item will be considered separately.

- [2021-230](#)
- [2021-231](#)
- Mayor Buontempo requested a motion to adopt resolutions 2021-230 and 2021-231.

| | |
|------------------|---|
| RESULT: | CARRIED. |
| MOVER: | Cathy Weber |
| SECONDER: | Prakash Santhana |
| AYES: | Gregory Buontempo, Cathy Weber, Thomas Critelli, and Prakash Santhana |
| ABSENT: | DJ Luccarelli |

8 HEARINGS ON ORDINANCES

- Township Clerk Wendy Patrovich 2021-32 Bond Ordinance Providing an Appropriation of \$2,811,000 for Various Capital Improvements in and by the Township of Holmdel in the County of Monmouth, New Jersey and Authorizing the Issuance of \$2,670,450 Bonds or Notes of the Township for Financing Part of the Appropriation by title. Mayor Buontempo opened for public comment, hearing none he closed public comment and requested a motion to adopt on final reading and publish in the Asbury Park Press according to law.

| | |
|------------------|---|
| RESULT: | CARRIED. |
| MOVER: | Thomas Critelli |
| SECONDER: | Prakash Santhana |
| AYES: | Gregory Buontempo, Cathy Weber, Thomas Critelli, and Prakash Santhana |
| ABSENT: | DJ Luccarelli |

[2021-32 Bond Ordinance](#)

9 PUBLIC COMMENT

Members of the public are invited to provide comments up to three (3) minutes in duration. Commenters are asked to state his or her full name and address for the record before entering comments.

- There were no public comments.

10 ADJOURNMENT

- The meeting was adjourned by acclamation at 9:05 AM.

Township Clerk

TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH

RESOLUTION TO ENTER EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act provides that the Township Committee may enter into Executive Session to discuss matters that are of a confidential nature, pursuant to N.J.S.A. 10:4-12; and

WHEREAS, it is recommended by the Township Attorney and Township Administrator that the Township Committee enter into Executive Session to discuss matters set forth hereinafter which are permissible for discussion in Executive Session.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Holmdel, County of Monmouth, State of New Jersey that the Township Committee shall enter into Executive Session to discuss the following matters:

Legal Issues, Litigation, Potential Litigation, Contract Negotiation, Attorney-Client Privilege – N.J.S.A. 10:4-12(b)(7)

Legal Advice on Township Procurement Issue – ATOD August 2021

BE IT FURTHER RESOLVED that the minutes of the Executive Session shall be released to the public when the need for confidentiality no longer exists, with an estimate of the circumstances and/or time for public disclosure provided in the above-listed anticipated times of decision (“ATOD”).

CERTIFICATION

I, Wendy L Patrovich, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on August 24, 2021.

Wendy L Patrovich, RMC/CMR
Township Clerk

2021-227A

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**RESOLUTION APPROVING FIRE TRUCK PROCUREMENT PURSUANT TO
COOPERATIVE PURCHASING AGREEMENT WITH THE HOUSTON-GALVESTON
AREA COUNCIL COOPERATIVE PURCHASING PROGRAM**

WHEREAS, procurements completed by the Township of Holmdel (“Township”) are typically governed by the provisions of the Local Public Contracts Law (“LPCL”), N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, notwithstanding the provisions of the LPCL, N.J.S.A. 52:34-6.2(b)(3) authorizes the Township to “make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process”; and

WHEREAS, pursuant to this authority, the Township is a member of the Houston-Galveston Area Council cooperative purchasing program (“HGAC”), which satisfies the foregoing statutory criteria; and

WHEREAS, through HGAC Contract FS12-19, the Township seeks to complete the procurement of a Fire Truck base model FS19VA09 – Custom Chassis 100FT AAT from Fire & Safety Services Ltd., in the total amount of \$1,493,917.41, as set forth in the proposal attached hereto and incorporated by reference; and

WHEREAS, the Township has determined that the use of the cooperative purchasing agreement with HGAC for this procurement “shall result in cost savings, after all factors, including charges for service, material, and delivery, have been considered,” as required by N.J.S.A. 52:34-6.2(b)(3); and

WHEREAS, to the extent required by the provisions of N.J.S.A. 19:44A-20.4 et seq., the vendor shall complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Holmdel in the previous one year, and that the contract will prohibit same from making any reportable contributions through the term of same, pursuant to N.J.S.A. 19:44A-20.5 et seq., which shall remain on file for 10 days prior to entering into any contract with the vendor; and

WHEREAS, any contract entered into pursuant to this resolution shall remain subject to review and approval as to legal form by the Township Attorney; and

WHEREAS, the Chief Financial Officer has certified that adequate funds for this contract are available through the M.C.I. A. Lease Equipment Lease Program of 2021 as approved by the Township Committee.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby awards a contract to Fire & Safety Services Ltd., for the provision of a Fire Truck base model FS19VA09 – Custom Chassis 100FT AAT, in the total amount of \$1,493,917.41, consistent with the foregoing.

BE IT FURTHER RESOLVED that the Township Administrator and Township Qualified Purchasing Agent are hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing.

CERTIFICATION

I, Wendy L Patrovich, Township Clerk of the Township of Holmdel, do hereby certify this to a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at the Meeting held on August 24, 2021.

Wendy L Patrovich, RMC/CMR
Township Clerk

RESOLUTION APPROVING ENTRY INTO GRANT AGREEMENT WITH THE COUNTY
OF MONMOUTH FOR ALCOHOLISM/DRUG ABUSE PREVENTION SERVICES

WHEREAS, pursuant to Resolution 2021-149, the Township Committee approved submission of a grant application to the County of Monmouth relative to Alcoholism/Drug Abuse Prevention Services; and

WHEREAS, the Township has been awarded a "D.E.D.R." grant in the total amount of \$10,250, and accordingly, the Township seeks to enter into a grant agreement with the County of Monmouth, pursuant to the terms contained in the agreement attached hereto and made part hereof.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby approves acceptance of the "D.E.D.R." grant from the County of Monmouth, consistent with the foregoing, and approves entry into the agreement attached hereto and made part hereof.

BE IT FURTHER RESOLVED that the Township Administrator is hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing, including the execution of any related instruments, subject to the review of the Township Attorney.

CERTIFICATION

I, Wendy L Patrovich, Township Clerk of the Township of Holmdel, do hereby certify this to a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at the Meeting held on August 24, 2021.

Wendy Patrovich, RMC/CMR
Township Clerk

2021-231

ORDINANCE # 2021-32

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,811,000 FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF HOLMDEL, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,670,450 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HOLMDEL, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Township of Holmdel, in the County of Monmouth, New Jersey (the "Township") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$2,811,000. Such sum includes the sum of \$140,550 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 20A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes

SECTION 2:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,670,450 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$2,670,450 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements hereby authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each improvement are as follows:

| Purpose | Appropriation and Estimated Cost | Estimated Maximum Amount of Bonds or Notes | Average Period of Usefulness |
|--|---|---|-------------------------------------|
| (1) Various Information Technology Equipment, including all work and materials necessary therefor and incidental thereto. | \$160,750 | \$152,713 | 6.75 Years |
| (2) Various Public Facility Improvements, including all work and materials necessary therefor and incidental thereto. | 52,750 | 50,112 | 14.19 Years |
| (3) Various Public Safety Building Improvements, including but not limited to Police Department locker room renovations and Emergency Services building improvements, and including all work and materials necessary therefor and incidental thereto. | 600,000 | 570,000 | 15 Years |
| (4) Various Public Safety Equipment, including all work and materials necessary therefor and incidental thereto. | 213,000 | 202,350 | 5 Years |
| (5) Various Recreational Facility improvements, including but not limited to improvements at Allocco Park, improvements at Bayonet Farm, improvements at Ackerson Park and improvements at the Swim Club, including all work and materials necessary therefor and incidental thereto. | 102,500 | 97,375 | 15 Years |
| (6) Various 2021 road improvements in the Township, including curbing, milling, paving, drainage and site preparations, Bethany Road intersection improvements, Indian Hill School crosswalk installation, Newman Springs Road and Cross Road cross walk installation, including all work and materials necessary therefor and incidental thereto. | 1,682,000 | 1,597,900 | 10 Years |
| TOTAL: | \$2,811,000 | \$2,670,450 | |

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$2,670,450.

(c) The estimated cost of the Improvement is \$2,811,000 which amount represents the initial appropriation made by the Township.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 10.76 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department

of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$2,670,450 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$700,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing additional costs of said Improvement provided the Township provides an appropriation therefor or for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9.

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect

to the Improvement prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$2,670,450.

SECTION 11:

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on August 10, 2021 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on August 24, 2021 at Township Hall, 4 Crawfords Corner Road, Holmdel, NJ at 9:00 AM at which time and place all persons desiring to be heard thereon will be given full opportunity.

Gregory Buontempo, Mayor

Attest:
Wendy L Patrovich, RMC/CMR
Township Clerk